

10/551852

JC20 Rec'd PCT/PTO 03 OCT 2004
Express Mail No. ED 378898920 US
SP-1719.2 US (PCT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dalton, et al.
Internat'l Appl. No.: PCT/AU 2004/000397
Internat'l Fil. Date: 29 March 2004
Title: A Flashlight or Lighting Device

PRELIMINARY AMENDMENT UNDER 37 CFR 1.121

Mail Stop PCT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

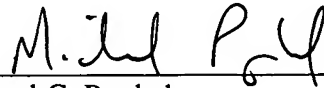
ATTENTION: EO/US

Dear Sir:

This Preliminary Amendment is being filed under 37 CFR § 1.121, PCT Article 28 and PCT Rule 52 upon entry into the U.S. National Phase under Chapter II in the above-identified International Application. This amendment is being filed together with the first filing under 35 USC § 371 in the above-identified International Application.

Please amend the claims by canceling original claims 1 – 39 and replacing them with new claims 1 – 39. Attached are replacement pages 14 – 17 containing the new claims.

Respectfully submitted,



Michael C. Pophal
Registration No. 37,300
Eveready Battery Company, Inc.
25225 Detroit Road
Westlake, Ohio
Phone: (440) 835-8158
Fax: (440) 899-6072